

DIVISION 19. O-1 AND O-2 DISTRICTS

Sec. 59-353. Generally.

The provisions of this division apply to all lands, uses and structures in O-1 and O-2 districts.
(Ord. No. 361-03, § 3, eff. 5-23-03)

Sec. 59-354. Uses allowed in these districts.

(a) The following is a list of uses with notations as to whether they are permitted, limited, or have other requirements as listed in the matrix and the sections which follow. Uses not listed are not allowed in any of these districts. Uses left blank are not allowed in that district. Permitted uses are uses by right.

TABLE INSET:

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|---|---------------|------|
| Key: P = Permitted L = Uses permitted with limitations SR = Uses permitted after special review * = Need not be enclosed (blank) = Not permitted | Zone District | |
| Use | O-1 | O-2 |
| Retail, service, office | | |
| Garden supply store | L56 | |
| Industrial, wholesale, transportation, utilities | | |
| Airport* | P | P |
| Parking of vehicles* | P | |
| Railway right-of-way* | P | P |
| Terminal, public transportation, local* | P | |
| Utility, major impact | L115 | L115 |
| Utility, minor impact | P | |
| Wholesale trade, light, and/or storage of nontoxic, nonhazardous materials | L126 | |
| Arts, entertainment, recreation, institutions | | |
| Cemetery* | P | |
| Community or senior center or recreational facility | P | |
| Correctional institution | P | |
| Fire station | P | |
| Golf course* | P | |
| Library | P | |
| Museums, other special purpose cultural institutions | P | |
| Parks, public, open space, associated buildings* | P | |
| Police station | P | |
| Recreation services, outdoor* | P | |

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| School, elementary or secondary | L153 | |
| School, vocational or professional | L146 | |
| Construction, mining, agriculture | | |
| Agriculture, limited* | | P |
| Husbandry* | | L169 |
| Nursery, plant | L56 | L169 |
| Oil, gas, production, drilling* | | SR |
| Construction, temporary structures . . . (See § 59-81) | | |
| Residential care uses (See § 59-82) | | |
| Power, gas, telecommunications (See § 59-83 and 84) | | |
| Uses allowed by temporary permit (See § 59-86) | | |
| Accessory uses (See § 59-87) | | |
| Home occupations (See § 59-89) | | |

(Ord. No. 895-03, § 45, eff. 12-2-03; Ord. No. 459-06, § 14, eff. 7-21-06)

(b) *Excavation of soil, both incidental and necessary to a construction project located no more than two (2) miles away from the construction site shall be permitted in the O-2 district as follows.* Each permit shall specify the boundary of the excavation area, the destination site, the existing and proposed land contours, the period of operation and any other information as required by the administrator. Such applications shall be referred to the planning office, the wastewater management division of public works, the urban drainage and flood control district and other agencies as deemed appropriate. The review by such agencies shall address such issues as flood and erosion problems, reclamation and revegetation requirements, traffic problems, wildlife preservation, character and appearance of resulting topography and other features as deemed important by the reviewing agencies. No permit shall be issued unless the administrator finds that the issues identified in the review have been resolved and that the applicant has obtained a mined land reclamation board permit from the State of Colorado. Each such permit shall be valid for a period of twelve (12) calendar months and shall be renewable. No later than six (6) months after issuance of any such permit, the reviewing agencies shall examine the excavation site to determine the level of compliance with permit requirements. Notwithstanding the provisions of section 59-40(b), fees relating to permits or certificates, the fee for this temporary use permit shall be one hundred dollars (\$100.00).

(Ord. No. 361-03, § 3, eff. 5-23-03)

Sec. 59-355. Limitations.

The following define the limitations enumerated in the use chart in section 59-354(a):

L56 Limited to plant husbandry and/or the sale of produce and plants raised on the premises.

L115 Limited to water reservoir, need not be enclosed, and, in the O-1 district only, water filtration plant.

L126 Limited to newspaper distribution station.

L146 Limited to airline related training and not providing residential accommodations.

L153 Not providing residential accommodations.

L169 Limited to plant husbandry, excluding greenhouses, and animal husbandry, excluding the raising of fur bearing animals and the operation of a feed lot.

(Ord. No. 361-03, § 3, eff. 5-23-03)

Sec. 59-356. Permitted structures.

(a) *Zone lot for structures in the O-1 district.* In the O-1 district a separate ground area, herein called the zone lot, shall be designated, provided and continuously maintained for each structure containing a use by right or a use by temporary permit and lawful accessory uses. Each zone lot shall have at least one (1) front line. Upon application to and approval by the

department of zoning administration, the boundaries and area of a designated zone lot may be amended if full compliance with all requirements of this chapter can be maintained.

(b) *Zone lot in the O-2 district.* In the O-2 district a separate ground area herein called the zone lot shall be designated, provided and continuously maintained for each use by right and any lawful accessory uses. Every zone lot shall provide a minimum street frontage of three hundred thirty (330) feet, and shall contain not less than ten (10) acres.

(c) *Location of structures in the O-1 district.* In the O-1 district, all structures shall be set in a distance of not less than twenty (20) feet from each front, rear and side line of the zone lot; provided, however, that no setback shall be required for electric substations, gas regulator stations and utility pumping stations except from such lines of the zone lot as abut public right-of-way. The space resulting from the foregoing setbacks shall be open and unobstructed; provided, however:

(1) Fences or walls not exceeding six (6) feet in height may be erected on any part of the zone lot. The height of such walls or fences shall be determined as stated in section 59-2(112.1) fence and wall height measurement.

(Ord. No. 363-06, § 15, eff. 6-16-06)

(2) Any structure or part thereof which is below the grade of any setback space may project any distance into such setback space.

(3) Canopies may project any distance into the front setback space.

(d) *Location of structures in the O-2 district.* In the O-2 district, except as otherwise hereinafter provided, the space resulting from the following setbacks shall be open and unobstructed:

Front setback. All structures hereinafter allowed in this district shall be set in a distance of not less than fifty (50) feet from each front line of the zone lot, except fences and walls which may be built to a height of five (5) feet on any front line of the zone lot, and flush mounted solar panels which may encroach any distance into the setback space.

(Ord. No. 53-08, § 35, eff. 2-8-08)

(e) *Permitted structures (accessory) in the O-2 district.* In the O-2 district all structures hereinafter specifically enumerated shall be allowed as accessory uses in this district:

(1) Residence for owner and/or residence for operator and/or employees;

(2) Silo, barn, shed, corral, pens and any other permanent or temporary building or improvement required for the proper functioning of any enumerated use by right.

(Ord. No. 361-03, § 3, eff. 5-23-03; Ord. No. 895-03, §§ 46, 47, eff. 12-2-03)

Sec. 59-357. Permitted signs.

The provisions of article V of this chapter on permitted signs shall be in full force and effect in these districts.

(Ord. No. 361-03, § 3, eff. 5-23-03)

Sec. 59-358. Off-street parking requirements.

The provisions of article VI of this chapter on off-street parking requirements shall be in full force and effect in these districts.

(Ord. No. 361-03, § 3, eff. 5-23-03)

Sec. 59-359. Off-street loading requirements.

The provisions of article VII of this chapter on off-street loading requirements shall be in full force and effect in these districts.

(Ord. No. 361-03, § 3, eff. 5-23-03)

Sec. 59-360. Special zone lot plan for planned building groups in the O-1 district.

The provisions of article VIII of this chapter on special zone lot plan for planned building groups shall be in full force and effect in the O-1 district, but shall apply only to buildings open to the public.

(Ord. No. 361-03, § 3, eff. 5-23-03)

Sec. 59-361. Special zone lot plan for planned building groups in the O-2 district.

The provisions of article VIII of this chapter on special zone lot plan for planned building groups shall be of no force and effect in this district.

(Ord. No. 361-03, § 3, eff. 5-23-03)

Sec. 59-362. Review of oil and gas permit applications.

(a) All use permit applications for oil and gas uses allowed by section 59-354 shall be reviewed by the development review committee established by section 59-518, with the addition of a representative from the building inspection division of community planning and development, designated by the manager of community planning and development, and a representative from the department of aviation, designated by the manager of aviation. The committee shall have the authority to request additional information from the applicant when necessary to complete its review.

(Ord. No. 625-05, § 20, eff. 9-2-05)

(b) The director of planning shall adopt and maintain oil and gas permit application rules and regulations establishing standards and procedures for examinations by the development review committee. The oil and gas permit application rules and regulations shall make due provision for at least:

- (1) Adequate financial assurances to insure the city against any claims which may arise due to the applicant's operation under any and all permits issued by the city;
- (2) Appropriate protection of the natural environment and adjacent land uses; and
- (3) Avoidance of any adverse impact on other uses by right allowed by this division 19.

(c) The permit application approved by the development review committee shall regulate the use and development of the subject property.

(Ord. No. 361-03, § 3, eff. 5-23-03)

Secs. 59-363--59-365. Reserved.